

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BRITTANY HOGENCAMP,

Plaintiff,

-against-

GERALDINE JEAN, D.O. and HUDSON  
RIVER HEALTH CARE, INC.,

Defendants.

Case No. 20 CV 8508 (PMH)

**STIPULATION AND ORDER  
OF DISCONTINUANCE**

WHEREAS, on or about October 28, 2019, Plaintiff Brittany Hogencamp (“Plaintiff”) brought a medical malpractice action against defendants Hudson River Healthcare, Inc. (the “Health Center”) and one of its employees, Geraldine Jean (“Jean”) (together, the “Federal Defendants”), in the Supreme Court of the State of New York, County of Dutchess, Index No. 54323/2019 (the “State Action”).

WHEREAS, on or about July 31, 2020, Plaintiff brought a medical malpractice action against the United States in the United States District Court, Southern District of New York, captioned *Brittany Hogencamp v. United States of America*, 20 CV 6001 (S.D.N.Y.) (PCM) (the “Original Federal Action”).

WHEREAS, on or about October 13, 2020, the State Action was removed to the District Court for the Southern District of New York by the Federal Defendants, and assigned Case Number 20 CV 8508 (the “Removed Action”).

WHEREAS, on or about October 15, 2020, this Court accepted the Removed Action as related to the Original Federal Action.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties, by their respective counsel, pursuant to Federal Rule of Civil Procedure 41(a)(2), as follows:

1. The United States is hereby substituted as defendant in the Removed Action in place of Hudson River Healthcare, Inc. and Geraldine Jean.

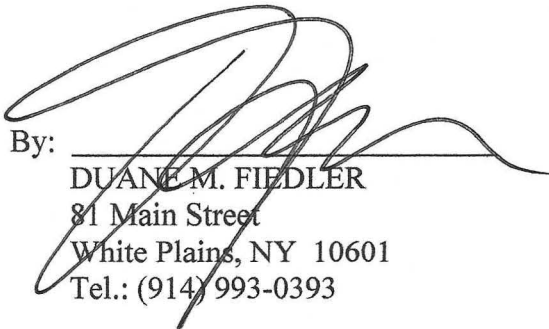
2. Plaintiff’s claims against the United States with respect to the Removed Action only are dismissed without prejudice.

3. This Stipulation and Order of Discontinuance (the “Stipulation and Order”) may be executed in counterparts; a reproduced signature shall have the same force and effect as an original signature; and a facsimile or electronic copy of the Stipulation and Order shall have the same force and effect as an original.

4. The undersigned parties understand and agree that this Stipulation and Order contains the entire agreement between them, and that no statements, representations, promises, agreements or negotiations, oral or otherwise, between the undersigned parties or their counsel that are not included herein shall be of any force or effect.

Dated: New York, New York  
October 19, 2020

FIEDLER DEUTSCH, LLP

By:   
DUANE M. FIEDLER  
81 Main Street  
White Plains, NY 10601  
Tel.: (914) 993-0393

*Counsel for Plaintiff*

Dated: New York, New York  
October 19, 2020


AUDREY STRAUSS  
Acting United States Attorney for the  
Southern District of New York

By:   
BRANDON H. COWART  
86 Chambers Street, 3rd Fl.  
New York, NY 10007  
Tel.: (212) 637-2693

*Counsel for the United States of  
America*

The Clerk is instructed to terminate the action.

SO ORDERED.

  
PHILIP M. HALPERN  
U.S.D.J.

Dated: New York, NY  
October 20, 2020